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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph M. Schmitt, et al.

Serial No.: 10/699,610

Filed: October 30, 2003

For: DEVICE AND METHOD FOR
MONITORING BODY FLUID AND
ELECTROLYTE DISORDERS

§ Group Art Unit: 3742

§
§ Examiner: Unassigned§ Atty. Docket: TYHC:0143 / FLE
§ P0277R-02Mail Stop Amendments
Commissioner for Patents
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Alexandria, Virginia 22313-1450CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendments, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

January 20, 2006

Date

Michael G. Fletcher

Sir:

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.97(b) AND 1.98

In compliance with the duty of disclosure under 37 C.F.R. § 1.56(a), it is respectfully requested that this Information Disclosure Statement be entered and that the listed references be considered by the Examiner and made of record. Applicants note that, due to recent amendments to 37 C.F.R. § 1.98(a), copies of the listed domestic references are no longer required to be submitted to the Examiner.

In accordance with 37 C.F.R. § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), or as a representation that no other possibly material information, as defined in 37 C.F.R. § 1.56(b), exists.

Furthermore, the references listed on the attached PTO/SB/08 Forms are not to be construed as an admission that these references qualify as prior art as to the above-referenced application or any related application. Rather, these references are being presented for the Examiner's consideration without prejudice to the right to demonstrate that any of these references do not qualify as prior art should the Examiner choose to apply any of these references.

The following information is listed below in accordance with 37 C.F.R. §1.98. Any explanation of non-English language documents contained in this Information Disclosure Statement is believed to constitute a concise explanation of the relevance of the listed reference as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the listed reference, in accordance with 37 C.F.R. § 1.98(a)(3).

Applicants believe this Information Disclosure Statement is properly filed in accordance with 37 C.F.R. § 1.97(b). Consequently, no fee is believed due with this Information Disclosure Statement. However, the Commissioner is authorized to charge any requisite fee for this Information Disclosure Statement, and any additional fee which may be required, to Deposit Account No. 06-1315; Order No. TYHC:0143/FLE (P0277R-02).

Respectfully submitted,

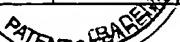
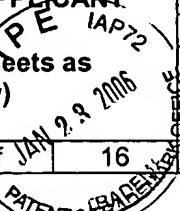
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known		
		Application Number	10/699,610	
		Filing Date	October 30, 2003	
		First Named Inventor	Joseph M. Schmitt	
		Art Unit	3742	
Examiner Name	Unassigned			
Sheet 1 of 16	Attorney Docket Number	TYHC:0143 / FLE / P0277R-02		



U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
A1	US-	3,998,550	12-21-1976	Konishi et al.	
A2	US-	4,066,068	01-03-1978	Nilsson et al.	
A3	US-	4,364,008	12-14-1982	Jacques	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
B1	JP	4-40940	02-12-1992	Kenji		
B2	JP	5-329163	12-14-1993	Mitsuo et al.		
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B5	JP	11-244266	09-14-1999	Shimizu		
B6	WO	00/32262 A1	06-08-2000	Waldeck		

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A20	US-	5,337,937	08-16-1994	Blank et al.	
A21	US-	5,348,004 A	09-20-1994	Hollub	
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B13	EP	1184663 A2	03-06-2002	Woo et al.		
B14						
B15						
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A72	US-				
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Wheeler, Owen H., "Near Infrared Spectra of Organic Compounds," Department of Chemistry, College of Agriculture and Mechanic Arts, University of Puerto Rico (March 1929)	
	C2	Pace, Nello, et al., "Studies on Body Composition: III. The body water and chemically combined nitrogen content in relation to fat content," Naval Medical Research Institute, Bethesda, Maryland (January 11, 1945)	
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	C13	Sheng, Hwai-Ping, et al., "A review of body composition studies with emphasis on total body water and fat," <i>The American Journal of Clinical Nutrition</i> , Vol. 32., pp. 630-647 (March 1979)	
	C14	Martens, H., et al., "Unscrambling Multivariate Data from Mixtures: I: Fat, water and protein determination in meat by near-infrared reflectance spectroscopy, II: soy protein and collagen determination in meat products from amino acid data," <i>Meat Res. Workers, Proc. European Meeting</i> , pp. 146-149 (1980)	

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	C15	Fomon, Samuel J., et al., "Body composition of reference children from birth to age 10 years," <i>The American Journal of clinical Nutrition</i> , Vol. 35, pp. 1169-1175, (May 1982)			
	C16	Lanza, Elaine, "Determination of Moisture, Protein, Fat, and Calories in Raw Pork and Beef by near Infrared Spectroscopy," <i>Journal of Food Science</i> , Vol. 48, pp. 471-474 (1983)			
	C17	Martens, Harald, et al., "Understanding food research data," <i>Food Research and Data Analysis</i> , Applied Science Publishers, pp. 5-38 (1983)			
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				Examiner Name	Unassigned
Sheet	7	of	16	Attorney Docket Number	TYHC:0143 / FLE / P0277R-02

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Sheet	12	of	16	Attorney Docket Number	TYHC:0143 / FLE / P0277R-02

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Sheet	14	of	16	Attorney Docket Number	TYHC:0143 / FLE / P0277R-02

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